

EXHIBIT A

17810.00244-WJK

MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN

BY: Walter J. Klekotka, Esquire; 015931987

Woodland Falls Corporate Park

200 Lake Drive East, Suite 300

Cherry Hill, NJ 08002

856-414-6000

Attorney for plaintiffs M&J Landscape Products, LLC. and Mark Sievert

M&J LANDSCAPE PRODUCTS, LLC. and
MARK SIEVERT,
Plaintiffs,

vs.

PENNSYLVANIA LUMBERMENS
MUTUAL INSURANCE COMPANY
Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
OCEAN COUNTY

DOCKET NO.: OCN-L-1374-15
CIVIL ACTION

SUMMONS

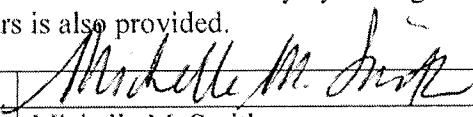
FROM: THE STATE OF NEW JERSEY

TO: Pennsylvania Lumbermens Mutual Insurance Company
2005 Market Street, Suite 1200
Philadelphia, PA 19103

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above **within 35 days** from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

	
	Michelle M. Smith
	Clerk of the Superior Court
DATED: May 26, 2015	
Name of Defendant to Be Served: Pennsylvania Lumbermens Insurance Company	
Address of Defendant to Be Served: 2005 Market Street, Suite 1200 Philadelphia, PA 19103	

ATLANTIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd., First Fl.
Atlantic City, NJ 08401

LAWYER REFERRAL
(609) 345-3444
LEGAL SERVICES
(609) 348-4200

BERGEN COUNTY:

Deputy Clerk of the Superior Court
Case Processing Section, Room 119
Justice Center, 10 Main St.
Hackensack, NJ 07601-0769

LAWYER REFERRAL
(201) 488-0044
LEGAL SERVICES
(201) 487-2166

BURLINGTON COUNTY:

Deputy Clerk of the Superior Court
Central Processing Office
Attn: Judicial Intake
First Fl., Courts Facility
49 Rancocas Rd.
Mt. Holly, NJ 08060

LAWYER REFERRAL
(609) 261-4862
LEGAL SERVICES
(609) 261-1088

CAMDEN COUNTY:

Deputy Clerk of the Superior Court
Civil Processing Office
1st Fl., Hall of Records
101 S. Fifth St.
Camden, NJ 08103

LAWYER REFERRAL
(856) 964-4520
LEGAL SERVICES
(856) 964-2010

CAPE MAY COUNTY:

Deputy Clerk of the Superior Court
9 N. Main Street
Box DN-209
Cape May Court House, NJ 08210

LAWYER REFERRAL
(609) 463-0313
LEGAL SERVICES
(609) 465-3001

CUMBERLAND COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
Broad & Fayette Sts., P.O. Box 615
Bridgeton, NJ 08302

LAWYER REFERRAL
(856) 692-6207
LEGAL SERVICES
(856) 451-0003

ESSEX COUNTY:

Deputy Clerk of the Superior Court
50 West Market Street
Room 131
Newark, NJ 07102

LAWYER REFERRAL
(973) 622-6207
LEGAL SERVICES
(973) 624-4500

GLOUCESTER COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
Attn: Intake
First FL., Court House
1 North Broad Street, P.O. Box 129
Woodbury, NJ 08096

LAWYER REFERRAL

(856) 848-4589

LEGAL SERVICES

(856) 848-5360

HUDSON COUNTY:

Deputy Clerk of the Superior Court
Superior Court. Civil Records Dept.
Brennan Court House - 1st Floor
583 Newark Ave.
Jersey City, NJ 07306

LAWYER REFERRAL

(201) 798-2727

LEGAL SERVICES

(201) 792-6363

HUNTERDON COUNTY:

Deputy Clerk of the Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822

LAWYER REFERRAL

(908) 735-2611

LEGAL SERVICES

(908) 782-7979

MERCER COUNTY:

Deputy Clerk of the Superior Court
Local Filing Office, Courthouse
175 S. Broad Street, P.O. Box 8068
Trenton, NJ 08650

LAWYER REFERRAL

(609) 585-6200

LEGAL SERVICES

(609) 695-6249

MIDDLESEX COUNTY:

Deputy Clerk of the Superior Court
Administration Building
Third Floor
1 Kennedy Sq., P.O. Box 2633
New Brunswick, NJ 08903-2633

LAWYER REFERRAL

(732) 828-0053

LEGAL SERVICES

(732) 249-7600

MONMOUTH COUNTY:

Deputy Clerk of the Superior Court
Court House
7 I Monument Park P.O. Box 1269
Freehold, NJ 07728-1269

LAWYER REFERRAL

(732) 431-5544

LEGAL SERVICES

(732) 866-0020

MORRIS COUNTY:

Deputy Clerk of the Superior Court
Civil Division
30 Schuyler Pl., P.O. Box 910
Morristown, NJ 07960-0910

LAWYER REFERRAL

(973) 267-5882

LEGAL SERVICES

(973) 285-6911

OCEAN COUNTY:

Deputy Clerk of the Superior Court
Court House, Room 119
118 Washington Street
Toms River, NJ 08754

LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

PASSAIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division
Court House
77 Hamilton St.
Paterson, NJ 07505

LAWYER REFERRAL
(973) 278-9223
LEGAL SERVICES
(973) 345-7171

SALEM COUNTY:

Deputy Clerk of the Superior Court
92 Market St., P.O. Box 18
Salem, NJ 08079

LAWYER REFERRAL
(856) 935-5628
LEGAL SERVICES
(856) 451-0003

SOMERSET COUNTY:

Deputy Clerk of the Superior Court
Civil Division Office
New Court House, 3rd Fl.
P.O. Box 3000
Somerville, NJ 08876

LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840

SUSSEX COUNTY:

Deputy Clerk of the Superior Court
Sussex County Judicial Center
43-47 High Street
Newton, NJ 07860

LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 383-7400

UNION COUNTY:

Deputy Clerk of the Superior Court
1st Fl., Court House
2 Broad Street
Elizabeth, NJ 07207-6073

LAWYER REFERRAL
(908) 353-4715
LEGAL SERVICES
(908) 354-4340

WARREN COUNTY:

Deputy Clerk of the Superior Court
Civil Division Office
Court House
413 Second Street
Belvidere, NJ 07823-1500

LAWYER REFERRAL
(908) 267-5882
LEGAL SERVICES
(908) 475-2010

Note: Adopted July 13, 1994, effective September 1, 1994; amended June 28, 1996, effective September 1, 1996; address/phone information updated July 1, 1999, effective September 1, 1999; amended July 12, 2002 to be effective September 3, 2002; amended July 27, 2006 to be effective September 1, 2006.

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17810.00244-WJK

MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN

BY: Walter J. Klekotka, Esquire; 015931987

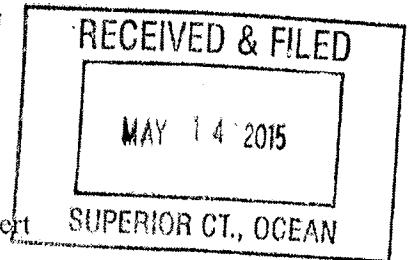
Woodland Falls Corporate Park

200 Lake Drive East, Suite 300

Cherry Hill, NJ 08002

856-414-6000

Attorney for plaintiffs M&J Landscape Products, LLC. and Mark Sievert



M&J LANDSCAPE PRODUCTS, LLC. and
MARK SIEVERT,
Plaintiffs,

vs.

PENNSYLVANIA LUMBERMENS
MUTUAL INSURANCE COMPANY
Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
OCEAN COUNTY

DOCKET NO.: OCN-L-

41374-15

CIVIL ACTION

COMPLAINT AND JURY TRIAL
DEMAND

M&J Landscape Products, LLC. (M&J) and Mark Sievert, by way of complaint against the defendant, Pennsylvania Lumbermens Mutual Insurance Company, avers as follows:

FIRST COUNT

1. Plaintiffs herein are defendants in a separate personal injury lawsuit filed by Bradley E. Diem in the Superior Court of New Jersey, Law Division, Ocean County, docket number OCN-L-3783-13. (The "Diem Action")

2. The First Amended Complaint in the Diem Action alleges that Bradley Diem suffered personal injuries on December 2, 2012 in the course and scope of his employment, collecting debris in the Borough of Ship Bottom following Super Storm Sandy.

3. Diem alleges that he had his hand on a boom truck/front end loader when the truck's claw came into contact with a high voltage transmission line sending an electric charge through the truck, causing Diem to sustain certain injuries.

4. The Diem Action alleges alternatively that Diem was employed by and in the course and scope of his employment with either Clay Mohon Mowing and/or M&J,

5. Mark Sievert is an employee of M&J, and was operating the front loader in the course of his employment with M&J that is alleged to have caused Mr. Diem's injuries

6. While M&J and Mark Sievert maintain that Diem was an employee of M&J at the time of the accident, plaintiff's complaint alleges he was employed by another party, and other defendants in the Diem Action have asserted that Diem was not an employee of M&J.

7. Defendant, Pennsylvania Lumbermens Mutual Insurance Company issued a policy to M&J Landscape Products, LLC. as the named insured, which included, among other coverages, commercial general liability coverage. The declarations page is attached hereto as **Exhibit "A"**.

8. M&J and Mark Sievert have tendered its defense of the Diem Action to Pennsylvania Lumbermens, but Pennsylvania Lumbermens has failed to provide any sort of response to plaintiffs' request for a defense and indemnity in this matter, and has, therefore, tacitly denied coverage.

9. Pennsylvania Lumbermens' refusal to provide a response to M&J's tender of a defense in this matter is a breach of the contract of insurance between M&J and Pennsylvania Lumbermens.

10. M&J has been damaged by the defendant's breach.

WHEREFORE, M&J Landscape Products, LLC. and Mark Sievert demand judgment in their favor including the recovery of all defense costs incurred in the defense of the Diem Action, attorney fees pursuant to N.J. Ct. Rule 4:42-9(a)(6) and any other relief available to plaintiffs to which they shall show themselves justly entitled.

DESIGNATION OF TRIAL COUNSEL

Eric R. Brown, Esquire, of the firm Marshall, Dennehey, Warner, Coleman & Goggin is hereby designated as trial counsel on behalf of Plaintiffs herein pursuant to R.4:25-4.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a trial by jury on all issues.

CERTIFICATION

I certify that the matter in controversy is not the subject of any other action pending in any court or of any pending Arbitration proceeding, and I know of no other parties to be joined at this time, although the matter of Diem v. Ashbritt, et al., OCN-L-3783-13 arises from the same operative facts.

MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN

BY: 

ERIC R. BROWN, ESQUIRE
ATTORNEY FOR PLAINTIFFS

DATED: May 13, 2014

LEGAL/100094328.v1

A

11/03/14 10:44 AM KENTUCKY LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

COMMERCIAL LINES POLICY
COMMON POLICY
AMENDED DECLARATIONS
DAILY REPORT

POLICY NO. 16-M030-01-12

RENEWAL OF NUMBER 16-M030-01-10

NAMED INSURED AND MAILING ADDRESS

M & J Landscape Products LLC,
DBA: Mr. Mulch of Hopkinsville
P.O. Box 664
Hopkinsville, KY 42241

POLICY PERIOD: from 11/05/11 to 11/05/13 at 12:01 A.M., Standard Time at
your mailing address shown above.

On and after 11/14/12 the conditions of this Amended Declaration apply.

BUSINESS DESCRIPTION: MULCH MFG

In return for the payment of the Premium, and subject to all the terms of
this policy, we agree with you to provide the Insurance as stated in this
policy.

This policy consists of the following Coverage Parts for which a Premium is
indicated. This Premium may be subject to adjustment.

Commercial Property Coverage Part	\$	PREMIUM INCL.
Commercial General Liability Coverage Part		INCL.
Commercial Crime Coverage Part		NIL
Commercial Inland Marine Coverage Part		INCL.
Commercial Auto Coverage Part		NIL
Commercial Fidelity Coverage Part		NIL
Equipment Breakdown Coverage Part		INCL.
	TOTAL PREMIUM \$	9,358.00
	TOTAL ENDORSEMENT PREMIUM	2,638.00
KY S. C.		152.00
KY M. T.		549.36
	TOTAL \$	12,697.36

ADDITIONAL PREMIUM: \$500.00

COMMISSION 10.00%

JD 190 (O) (ED. 85)

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03/01/13

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

COMMERCIAL LINES POLICY
COMMON POLICY
AMENDED DECLARATIONS
DAILY REPORT

POLICY NO. 16-M030-01-12 RENEWAL OF NUMBER 16-M030-01-10

NAMED INSURED AND MAILING ADDRESS

M & J Landscape Products LLC,
DBA: Mr. Mulch of Hopkinsville
P.O. Box 664
Hopkinsville, KY 42241

POLICY PERIOD: from 11/05/11 to 11/05/13 at 12:01 A.M., Standard Time at
your mailing address shown above.

On and after 11/14/12 the conditions of this Amended Declaration apply.

FORM(S) AND ENDORSEMENT(S) MADE A PART OF THIS POLICY AT TIME OF ISSUE:

CF150 (11-85), CP0090 (07-88), CP0010 (06-07), SLP-2 (01-97)
CP1030 (06-07), CP1218 (06-07), CP1032 (08-08), LUM153A (01-08)
CP1045 (08-99), CPDS06 (10-00), CP0166 (09-00), LUM130 (06-04)
CP0140 (07-06), CL150 (11-85), CG0001 (12-07), LUM123 (02-01)
CG2010 (07-04), CG2147 (12-07), CG2173 (01-08), LUM145 (02-06)
LUM151 (01-08), CG2155 (09-99), CG2167 (12-04), CG2196 (03-05)
CG2186 (12-04), LUM141 (12-05), LUM139 (12-05), CG0068 (05-09)
CG2132 (05-09), CI150 (11-85), CM0001 (09-04), IN755 (05-86)
LUM158 (10-08), CM0141 (09-00), BM12 (11-04), GU207ME (08-11)
EB0020 (09-11), EBP002 (08-08), EB9962 (09-10), EB9963 (09-10)
IL0017 (11-98), IL0021 (09-08), IL0953 (01-08), IL0263 (09-08)
IL0935 (07-02), IL0985 (01-08), PN-1 (07-01)

Countersigned By

Countersignature
Not Required

Authorized Representative(s) Date

These Declarations together with the Common Policy Conditions, Coverage
Part Declarations, Coverage Part Coverage form(s) and Forms and
Endorsements, if any, issued to form a part thereof, complete the above
numbered policy.

PENNSYLVANIA LUMBERMENS MUTU INSURANCE COMPANY (800) 752-1895

COMMERCIAL PROPERTY COVERAGE PART
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

BUSINESS DESCRIPTION: MULCH MFG

DESCRIPTION OF PREMISES - - - - -

Prem No	Bldg No	Location, Construction and Occupancy
1	1	FRAME SHOP & OFFICE 2105 MADISONVILLE ROAD HOPKINSVILLE CHRISTIAN, KY 42241
1	2	FRAME OFFICE 2105 MADISONVILLE ROAD HOPKINSVILLE CHRISTIAN, KY 42241
1	3	FRAME STORAGE 2105 MADISONVILLE ROAD HOPKINSVILLE CHRISTIAN, KY 42241
2	1	NON-COMBUSTIBLE OFFICE TRAILER 287 DOVER ROAD CLARKSVILLE MONTGOMERY, TN 37042
2	2	NON-COMBUSTIBLE STORAGE TRAILER 287 DOVER ROAD CLARKSVILLE MONTGOMERY, TN 37042
2	3	NON-COMBUSTIBLE STORAGE TRAILER 287 DOVER ROAD CLARKSVILLE

CF 150 (11-85)

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PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

COMMERCIAL PROPERTY COVERAGE PART
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

MONTGOMERY, TN 37042

2 4 NON-COMBUSTIBLE
STORAGE TRAILER
287 DOVER ROAD
CLARKSVILLE
MONTGOMERY, TN 37042

3 1 NON-COMBUSTIBLE
MULCH BUSINESS
4410 HANSON ROAD
MADISONVILLE
HOPKINS, KY 42431

COVERAGES PROVIDED - - - - -

Insurance at the described Premises applies only for Coverages for which a
Limit of Insurance is shown.

Coverage	Prem No	Bldg No	Limit of Insurance	Covered Causes of Loss	Coinsurance	Premium
BUILDING	1	1	52,520	SPECIAL	80%	INCL.
YOUR BUSINESS	1	1	53,880	SPECIAL	80%	INCL.
PERSONAL PROPERTY						
BUILDING	1	2	42,640	SPECIAL	80%	INCL.
YOUR BUSINESS	1	2	11,440	SPECIAL	80%	INCL.
PERSONAL PROPERTY						
BUILDING	1	3	12,480	SPECIAL	80%	INCL.
BUILDING	2	1	33,600	SPECIAL	80%	INCL.
YOUR BUSINESS	2	1	5,000	SPECIAL	80%	INCL.
PERSONAL PROPERTY						
BUILDING	2	2	16,000	SPECIAL	80%	INCL.
BUILDING	2	3	16,000	SPECIAL	80%	INCL.
BUILDING	2	4	16,000	SPECIAL	80%	INCL.
BUILDING	3	1	120,000	SPECIAL	80%	INCL.
YOUR BUSINESS	3	1	5,000	SPECIAL	80%	INCL.
PERSONAL PROPERTY						
Premium for this Coverage Part						INCL.
Endorsement Premium						INCL.
Total Premium						INCL.

CF 150 (11-85)

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03/01/13

PENNSYLVANIA LUMBERMENS MUTU INSURANCE COMPANY (800) 752-1895

COMMERCIAL PROPERTY COVERAGE PART
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

OPTIONAL COVERAGES

Coverage	Prem No	Bldg No	Deductible	Agreed Value Expiration	Amount	Inflation Guard
BUILDING	1	1	\$ 1,000			0%
YOUR BUSINESS	1	1	\$ 1,000			
PERSONAL PROPERTY						
BUILDING	1	2	\$ 1,000			0%
YOUR BUSINESS	1	2	\$ 1,000			
PERSONAL PROPERTY						
BUILDING	1	3	\$ 1,000			0%
BUILDING	2	1	\$ 1,000			0%
YOUR BUSINESS	2	1	\$ 1,000			
PERSONAL PROPERTY						
BUILDING	2	2	\$ 1,000			0%
BUILDING	2	3	\$ 1,000			0%
BUILDING	2	4	\$ 1,000			0%
BUILDING	3	1	\$ 1,000			0%
YOUR BUSINESS	3	1	\$ 1,000			
PERSONAL PROPERTY						

Prem No	Bldg No	Replacement Building	Cost Personal Property	Including Stock	Business Income Monthly Limit	Indemnity Maximum Period	E.Q. Extended Deductible Percent
1	1	X	X				
1	2	X	X				
1	3	X					
2	1	X	X	X			
2	2	X					
2	3	X					
2	4	X					
3	1	X	X				

MORTGAGE HOLDER(S)/LOSS PAYEE

Mortgage Holder(s)/Loss Payee Name and Mailing Address

MARK & JANE WELLS
7130 HARMONY GROVE ROAD
CROFTON, KY 42217
STANDARD MORTGAGEE CLAUSE

MARK & JANE WELLS

CF 150 (11-85)

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03/01/13

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

COMMERCIAL PROPERTY COVERAGE PART
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

MORTGAGE HOLDER(S)/LOSS PAYEE - - - - -

Mortgage Holder(s)/Loss Payee Name and Mailing Address

7130 HARMONY GROVE ROAD
CROFTON, KY 42217
LOSS PAYABLE CLAUSE

MARLIN BANK & INSURANCE
SERVICE CENTER
P.O. BOX 368
MARLTON, NJ 08053
LOSS PAYABLE CLAUSE

BANK OF AMERICA, NA
MAIL CODE SC3-250-02-43
121 MOORE - HOPKINS LANE
COLUMBIA, SC 29210
LOSS PAYABLE CLAUSE

MODSPACE
1200 SWEDESFORD ROAD
BERWYN, PA 19312
LOSS PAYABLE CLAUSE

FIRST DATA
4000 CORAL RIDGE DRIVE
CORAL SPRINGS, FL 33065
LOSS PAYABLE CLAUSE

FORMS AND ENDORSEMENTS - - - - -

Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue:

CF150 (11-85), CP0090 (07-88), CP0010 (06-07), IL0017 (11-98)
SLP2 (01-97), CP1030 (06-07), CP1218 (06-07), CP1032 (08-08)
IL0953 (01-08), LUM153A (01-08), CP1045 (08-99), CPDS06 (10-00)
IL0263 (09-08), IL0935 (07-02), CP0166 (09-00), IL0985 (01-08)
PN-1 (07-01), LUM130 (06-04), CP0140 (07-06)

These Declarations are part of the Policy Declarations containing the Name of the Insured and Policy Period.

CF 150 (11-85)

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03/01/13

PENNSYLVANIA LUMBERMENS MUTL INSURANCE COMPANY (800) 752-1895

COMMERCIAL GENERAL LIABILITY COVERAGE PART
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

LIMITS OF INSURANCE

General Aggregate Limit
 (Other Than Products--Completed Operations)....\$ 2,000,000
 Products--Completed Operations Aggregate Limit... 2,000,000
 Personal and Advertising Injury Limit..... 1,000,000
 Each Occurrence Limit..... 1,000,000
 Fire Damage Limit..... 100,000 Any One Fire
 Medical Expense Limit..... 5,000 Any One Person

RETROACTIVE DATE (CG 00 02 Only) - - - - -

Coverage A of this Insurance does not apply to 'bodily injury' or 'property damage' which occurs before the Retroactive Date, if any, shown here: NONE

BUSINESS DESCRIPTION AND LOCATION OF PREMISES

Form of Business: CORPORATION

Business Description: MULCH MFG

Location of All Premises You Own, Rent Or Occupy:

PREMIUM - - - - -

Classification	Code No.	Premium basis	Advance Premium Pr/Co All Other
WOOD PRODUCTS MFG.- NOC	59985	800,000 GS INCL.	INCL.
WOOD PRODUCTS MFG.- NOC	59985	50,000 GS INCL.	INCL.
WOOD PRODUCTS MFG.- NOC	59985	50,000 GS INCL.	INCL.
Premium for this Coverage Part			INCL.
Endorsement Premium			\$1,100.00
Total Premium			\$3,462.00

1 GS = \$1,000 OF Gross Sales

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

COMMERCIAL GENERAL LIABILITY COVERAGE PART
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

FORMS AND ENDORSEMENTS - - - - -

Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue:

CL150 (11-85), CG0001 (12-07), IL0017 (11-98), IL0021 (09-08)
LUM123 (02-01), CG2010 (07-04), CG2147 (12-07), CG2173 (01-08)
LUM145 (02-06), LUM151 (01-08), IL0263 (09-08), CG2155 (09-99)
CG2167 (12-04), IL0985 (01-08), PN-1 (07-01), CG2196 (03-05)
CG2186 (12-04), LUM141 (12-05), LUM139 (12-05), CG0068 (05-09)
CG2132 (05-09)

These Declarations are part of the Policy Declarations containing the Name of the Insured and the Policy Period

CL 150 (ED. 11-85)

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03/01/13

PENNSYLVANIA LUMBERMENS MUTL. INSURANCE COMPANY (800) 752-1895

COMMERCIAL INLAND MARINE COVERAGE PART
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

BUSINESS DESCRIPTION: MULCH MFG

PREMIUM - - - - -

Premium for this Coverage Part INCL.

MORTGAGE HOLDER(S)/LOSS PAYEE - - - - -

Mortgage Holder Name and Mailing Address

MARK & JANE WELLS
7130 HARMONY GROVE ROAD
CROFTON, KY 42217
LOSS PAYABLE CLAUSE

LEAF
P.O. BOX 979127
MIAMI, FL 33197-9127
LOSS PAYABLE CLAUSE

CLAY MOHON MOWING LLC,
PO BOX 1604
HOPKINSVILLE, KY 42241
ADDITIONAL INSURED

LEAF CAPITAL FUNDING LLC,
ISAOA
2005 MARKET ST., 14TH FL.
PHILADELPHIA, PA 19103
LOSS PAYABLE AND ADDITIONAL INSURED CLAUSE

MACZAC CONTRACTING
P.O. BOX 1064

HOPKINSVILLE, KY 42241-1064
ADDITIONAL INSURED

FORMS AND ENDORSEMENTS - - - - -

Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue:

CI150 (11-85); CM0001 (09-04), IM755 (05-86), IL0935 (07-02)

CI 150 (11-85)

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03/01/13

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE COMPANY (800) 752-1895

COMMERCIAL INLAND MARINE COVERAGE PART
AMENDED DECLARATIONS

POLICY NO. 16-M030-01-12

NAMED INSURED: M & J Landscape Products LLC,
DBA: Mr. Mulch of Hopkinsville

POLICY PERIOD: from 11-05-11 to 11-05-13 at 12:01 A.M., Standard Time.

On and after 11-14-12 the conditions of this Amended Declaration apply.

FORMS AND ENDORSEMENTS - - - - -

Forms and Endorsements applying to this Coverage Part and made part of this
policy at time of issue:

LUM158 (10-08), IL0263 (09-08), CM0141 (09-00), IL0017 (11-98)

These Declarations are part of the Policy Declarations containing the Name
of the Insured and the Policy Period.

CI 150 (11-85)

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03/01/13

PENNSYLVANIA LUMBERMENS MUT. INSURANCE COMPANY (800) 752-1891

16-M030-01-12 EQUIPMENT BREAKDOWN COVERAGE ENDORSEMENT
 SCHEDULE
 COMMERCIAL PACKAGE POLICY

Subject to any applicable limits on the Declarations, the Equipment Breakdown Limit is the most we will pay for loss or damage arising from any one Accident.

These coverages apply to all locations covered on the policy, unless otherwise specified.

COVERAGES	LIMITS
*****	*****
Equipment Breakdown Limit	\$ 384,560
Business Income	\$
Extra Expense	\$
Utility Interruption	\$ 100,000
Expediting Expense	\$ 100,000
Hazardous Substances	\$ 100,000
Water Damage	\$ 100,000
Ammonia Contamination	\$ 100,000
Data & Media	\$ 100,000
Spoilage	\$ 100,000
Ordinance or Law	\$ 100,000
Errors & Omissions	\$ 100,000
Brands & Labels	\$ 100,000
Consequential Loss	\$ 100,000
Newly Acquired Premises	\$ 250,000
Diagnostic Equipment	\$ 100,000

DEDUCTIBLES

*****	*****
Combined, All Coverages	\$
Direct Coverages	\$ 5,000
Indirect Coverages	\$
Spoilage	\$


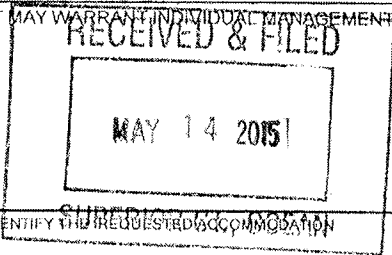

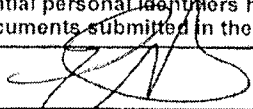
OTHER CONDITIONS

BM1Z (11-04)

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03/01/13

Appendix XII-B1

 CIVIL CASE INFORMATION STATEMENT (CIS) Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY	
		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA CHG/CK NO.: AMOUNT: OVERPAYMENT: BATCH NUMBER:	
ATTORNEY / PRO SE NAME Eric R. Brown, Esquire		TELEPHONE NUMBER (856) 414-6000	COUNTY OF VENUE Ocean
FIRM NAME (if applicable) Marshall, Dennehey, Warner, Coleman & Goggin		DOCKET NUMBER (when available) OCN-L- <u>81374-15</u>	
OFFICE ADDRESS 200 Lake Drive East, Suite 300 Cherry Hill, NJ 08002		DOCUMENT TYPE Complaint and jury trial demand	
		JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
NAME OF PARTY (e.g., John Doe, Plaintiff) Plaintiff M&J Landscape Products, LLC. and Mark Sievert		CAPTION M&J Landscape Products, LLC. and Mark Sievert v. Pennsylvania Lumbermens Mutual Insurance Company	
CASE TYPE NUMBER (See reverse side for listing) 505	HURRICANE SANDY RELATED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.	
RELATED CASES PENDING? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, LIST DOCKET NUMBERS OCN-L-3783-13	
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input type="checkbox"/> UNKNOWN	
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS	
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input type="checkbox"/> NO			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION <div style="text-align: right;"></div>			
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION	
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE?	
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).			
ATTORNEY SIGNATURE: 			

Side 2



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)**Track I - 150 days' discovery**

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 508 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Multicounty Litigation (Track IV)

- | | |
|--|---|
| 271 ACCUTANE/ISOTRETINOIN | 289 REGLAN |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 290 POMPTON LAKES ENVIRONMENTAL LITIGATION |
| 278 ZOMETA/ARELIA | 291 PELVIC MESH/GYNECARE |
| 279 GADOLINIUM | 292 PELVIC MESH/BARD |
| 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL | 293 DEPUY ASR HIP IMPLANT LITIGATION |
| 282 FOSAMAX | 295 ALLODERM REGENERATIVE TISSUE MATRIX |
| 285 STRYKER TRIDENT HIP IMPLANTS | 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS |
| 286 LEVAQUIN | 297 MIRENA CONTRACEPTIVE DEVICE |
| 287 YAZ/YASMIN/OCELLA | 601 ASBESTOS |
| 288 PRUDENTIAL TORT LITIGATION | 623 PROPECIA |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category ☐ Putative Class Action ☒ Title 59

OCEAN COUNTY SUPERIOR COURT
OCEAN COUNTY COURTHOUSE
CIVIL LAW DIVISION
TOMS RIVER NJ 08754

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 929-2016
COURT HOURS 8:30 AM - 4:30 PM

DATE: MAY 18, 2015
RE: M&J LANDSCAPE PRODUCTS VS PENNSYLVANIA LUMBERMENS
DOCKET: OCN L -001374 15

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 1.

DISCOVERY IS 150 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON MARK A. TRONCONE

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002
AT: (732) 929-4771 EXT 4771.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: ERIC R. BROWN
MARSHALL DENNEHEY WARNER COLE
WOODLAND FALLS CORP CTR
200 LAKE DR E STE 300
CHERRY HILL NJ 08002

JUAMH6